

Message Text

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ACTION L-03

INFO OCT-01 NEA-10 ISO-00 SSM-03 IO-13 TRSE-00 CPR-01

NSC-05 DODE-00 H-02 SS-15 SSO-00 NSCE-00 /053 W

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FM AMEMBASSY CAIRO

TO SECSTATE WASHDC IMMEDIATE 2183

INFO US MISSION SINAI 121

C O N F I D E N T I A L CAIRO 5248

EO 11652: GDS

TAGS: PFOR EG US

SUBJECT: PRIVILEGES AND IMMUNITIES FOR SFM PERSONNEL

REF: STATE 92157

1. POLCOUNS MET WITH AL-ARABY APRIL 19 TO PRESENT
DEPARTMENT'S COMMENTS AND PROPOSED CHANGES CONTAINED
REFTEL. AL-ARABY AND POLCOUNS AGREED ON FOLLOWING
TEXT SUBJECT TO DEPARTMENT AND MFA APPROVAL. TEXT
IS IDENTICAL TO THAT CONTAINED CAIRO 4576 WITH FOLLOWING
CHANGES:

2. PARA 4.A. "REGISTERED WITH AN EGYPTIAN STATE INSURANCE
COMPANY."

3. PARA 4.B. "THE SECRETARY OF STATE SHALL IN ACCORDANCE
WITH RELEVANT PROVISIONS OF US LAW, GIVE DUE CONSIDERATION
TO THE PAYMENTS OF CLAIMS, ETC." (COMMENT: AL-ARABY INSISTED
"SYMPATHETICALLY" WAS NOT LEGAL TERM AND, IN ANY CASE, DIFFICULT
TO TRANSLATE.)

4. PARA 4.C. "THE GOVERNMENT OF THE UNITED STATES
SHALL GIVE DUE CONSIDERATION TO REQUESTS BY THE
GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT IN
PARTICULAR CASES TO WAIVE IMMUNITY GRANTED BY
THIS ARTICLE."

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5. PARA 8. "WITHOUT PAYMENT OF FEES OR CHARGES, EXCEPT FOR CHARGES THAT ARE RELATED DIRECTLY TO SERVICES RENDERED, FREEDOM OF MOVEMENT BETWEEN THEIR ZONES AS SPECIFIED IN THE ABOVE US PROPOSAL, AND TO AND FROM POINTS OF ACCESS TO EGYPT OR TO THEIR ZONES ACCORDING TO PROCEDURES AGREED UPON ETC." (COMMENT: AL-ARABY HAD RESEARCH QUESTION OF CANAL TOLLS AND INFORMED POLCOUNS THAT UNEF PAYS SUEZ CANAL TOLLS. ONLY VESSELS PERMITTED BY LAW FROM NOT PAYING TOLLS ARE EGYPTIAN MILITARY VESSELS.

6. POLCOUNS REITERATED URGENCY US ATTACHES TO EARLY SIGNATURE. AL-ARABY SAID HE IS UNDER PRESSURE FROM HIS SUPERIORS AND WOULD BE GOING IMMEDIATELY AFTERWARDS TO MEET WITH UNDER SECRETARY AHMAND OSMAN. AL-ARABY ALSO SAID MFA IS LOOKING FOR WAY TO AVOID SENDING AGREEMENT TO PEOPLES ASSEMBLY BUT, IN VIEW OF FACT THAT EXEMPTION AND IMMUNITIES FROM EGYPTIAN REGULATIONS ARE REQUIRED AND MFA MUST INFORM THE APPROPRIATE MINISTRIES, HE WAS NOT OPTIMISITC THAT THIS COULD BE DONE. RE AGREEMENT FOR US NAVY CLEARING OF SUEZ CANAL IN WHICH CERTAIN EXEMPTIONS AND IMMUNITIES HAD BEEN GRANTED, AL-ARABY SAID IT HAD NOT BEEN SUBMITTED TO ASSEMBLY ONLY BECAUSE MISSION COMPLETED AND U.S. PERSONNEL HAD DEPARTED BEFORE AGREEMENT FINALIZED AND PREPARED FOR TRANSMISSION TO ASSEMBLY. IT THEREFORE BECAME IRRELEVANT. AL-ARABY EMPHASIZED, HOWEVER, THAT SFM AGREEMENT ON PRIVILEGES AND IMMUNITIES WOULD GO INTO EFFECT UPON SIGNATURE AND NEED NOT AWAIT PA APPROVAL.

7. IF AT ALL POSSIBLE EMBASSY WOULD APPRECIATE DEPARTMENT'S RESPONSE IN TIME FOR SCHEDULED MEETING WITH AL-ARABY APRIL 20 TO LEARN HIS SUPERIORS' REACTION. EILTS

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